

Application No. 10/709,288
Technology Center 1775
Amendment dated June 20, 2007
Submission Accompanying RCE under 37 CFR §1.114

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REMARKS

As of the filing of the present Office Action, claims 1-16, 41, and 43-48 were pending in the above-identified US Patent Application. In a final rejection made in an Office Action dated March 20, 2007 (Paper No. 20070315) and maintained in an Advisory Action dated June 13, 2007 (Paper No. 20070607), all of the claims were rejected under 35 USC §103 as being unpatentable over U.S. Patent No. 6,410,148 to Eaton, Jr., et al. (Eaton '148) alone, U.S. Patent No. 6,254,935 to Eaton et al. (Eaton '935) alone, Eaton '935 in view of U.S. Patent No. 6,352,790 to Eaton et al. (Eaton '790), Eaton '148 in view of U.S. Patent No. 6,299,988 to Wang et al. (Wang), Eaton '935 in view of Wang, and/or Eaton '935 in view of Eaton '790 and Wang.

In the present Submission, Applicants have amended the claims as follows:

Independent claims 1 and 11 have been amended to specify that the nonstoichiometric second crystalline phase of barium-strontium aluminosilicate contains an approximately equimolar ratio of BaO/SrO, Al₂O₃, and SiO₂. Support for this limitation can be found in Applicants' specification at paragraph [0007].

Independent claims 1 and 11 have been further amended to

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incorporate the limitations from their respective dependent claims 6 and 16 (canceled without prejudice), such that the protective coating (20) has a second region (24) that is beneath the outer region (22) and contains the nonstoichiometric second crystalline phase.

Dependent claims 2 and 3 have been amended to recite limitations canceled from claim 1.

The remaining claims depending from claims 1 and 11 have been amended or canceled as necessary for consistency with their parent claims.

Applicants believe that the above amendments do not present new matter. Favorable reconsideration and allowance of remaining claims 1-3, 5, 7-15, 41, and 43-48 are respectfully requested in view of the above amendments and the following remarks.

Rejections under 35 USC §103

In view of the incorporation of the limitations of claims 6 and 16 into their respective independent claims 1 and 11, the following remarks will focus on the only rejection applied to claims 6 and 16, namely, a rejection under 35 USC §103 based on Eaton '935 in view of Eaton '790. Under this rejection, the Examiner referred to an "alumina-enhanced BSAS-containing layer"

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disclosed by Eaton '790 as capable of being used as an "intermediate or second barrier layer of Eaton '935." The alumina-enhanced BSAS-containing layer, while nonstoichiometric BSAS, does not contain "an approximately equimolar ratio of BaO/SrO, Al_2O_3 , and SiO_2 " as now required in Applicants' independent claims 1 and 11. While Applicants have acknowledged that prior art BSAS coatings (including those of the above-noted patents to Eaton et al.) contained this particular phase, nothing in the prior art discloses or suggests a coating in which this phase is limited to a sublayer of the coating.

In view of the above, Applicants respectfully request that their patent application be given favorable reconsideration.

Should the Examiner have any questions with respect to any matter now of record, Applicants' representative may be reached at (219) 462-4999.

Respectfully submitted,



Domenica N.S. Hartman
Reg. No. 32,701

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Hartman & Hartman, P.C.
Valparaiso, Indiana 46383
TEL.: (219) 462-4999
FAX: (219) 464-1166